# No. 14

# **MICHIGAN SENATE**

# **DAILY CALENDAR**

THURSDAY, FEBRUARY 12, 2004 10:00 a.m.

	MESSAGES FROM THE GOVERNOR		MESSAGES FROM THE GOVERNOR
SB	195 Sen. Toy Local government; public services; certain city managed water and sewer systems; provide for regionalization of. Creates new act. Vetoed by Governor, Friday, March 21, 2003. For text of veto message, see Senate Journal No. 30 of 2003, page 341. Veto pending.	SB	540 Sen. Johnson Appropriations; supplemental; supplemental appropriations; provide for. Creates new act & repeals sec. 308 of 2003 PA 161. Approved by Governor, with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1614. Vetoed line items pending.
SB	School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week.  Amends sec. 101 of 1979 PA 94 (MCL 388.1701).  Vetoed by Governor, Monday, June 30, 2003.  For text of veto message, see Senate Journal No. 65 of 2003, page 1110.  Veto pending.	SB	283 Sen. Johnson Appropriations; other; family independence agency; provide for fiscal year 2003-2004. Creates new act & repeals sec. 413 of 2002 PA 529. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1615. Vetoed line items pending.
SB	293 Sen. Bishop Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government. Amends sec. 3 of 1929 PA 152 (MCL 28.283). Vetoed by Governor, Friday, July 11, 2003. For text of veto message, see Senate Journal No. 68 of 2003, page 1222. Veto pending.	SB	464 Sen. Allen Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap. Amends sec. 2 of 1952 PA 214 (MCL 254.312). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.
SB	265 Sen. Johnson Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 71 of 2003, page 1587. Vetoed line items pending.	SB	466 Sen. Barcia Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend. Amends sec. 163 of 2000 PA 403 (MCL 207.1163). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.
SB	288 Sen. Johnson Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Thursday, August 7, 2003. For text of veto message, see Senate Journal No. 71 of	SB	395 Sen. McManus Health; abortion; definition of legal birth; clarify. Creates new act. Vetoed by Governor, Friday, October 10, 2003. For text of veto message, see Senate Journal No. 84 of

2003, page 1835.

Veto pending.

2003, page 1588.

Vetoed line items pending.

### MESSAGES FROM THE GOVERNOR

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### SB 687 Sen. Bishop

Counties; employees and officers; procedures for the vacancy in a county executive office; clarify.

Amends secs. 9 & 10 of 1973 PA 139 (MCL 45.559 & 45.560) & adds sec. 9a.

Vetoed by Governor, Tuesday, December 2, 2003.

For text of veto message, see Senate Journal No. 99 of 2003, page 2114.

Veto pending.

\_\_\_\_ 12 \_\_\_\_\_

### SB 474 Sen. Garcia

Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for.

Creates new act.

Vetoed by Governor, Friday, January 9.

For text of veto message, see Senate Journal No. 1, page 4.

Veto pending.

### MESSAGES FROM THE HOUSE

\_\_\_\_ 13 \_\_\_\_\_

#### **SB 506** Sen. Patterson

Environmental protection; landfills; out-of-state or outof-country waste; prohibit unless prohibited waste has been removed or the other state or province has solid waste stream standards as stringent as Michigan's.

Amends sec. 11507a of 1994 PA 451 (MCL 324.11507a) & adds sec. 11513a.

I.E. House, November 13, 2003.

Returned from House with House substitute (H-2), Thursday, November 13, 2003; laid over under the rules. Committee recommended I.E.

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### SB 557 Sen. Brater

Environmental protection; landfills; construction permits; provide for department to issue based upon capacity need.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11511a.

I.E. House, November 13, 2003.

Returned from House with amendment, Thursday, November 13, 2003; laid over under the rules.

For House amendment, see Senate Journal No. 97 of 2003, page 2065.

Committee recommended I.E.

\_\_\_\_\_ 15 \_\_

### SB 806 Sen. George

Environmental protection; cleanups; transfer of certain clean Michigan initiative brownfield cleanup revenue into the brownfield revitalization loan fund; provide for.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 19608a.

I.E. House, November 13, 2003.

Returned from House with amendments, Thursday, November 13, 2003; laid over under the rules.

For House amendments, see Senate Journal No. 97 of 2003, page 2066.

Committee recommended I.E.

### MESSAGES FROM THE HOUSE

<del>-----</del> 16 <del>--------</del>

#### SB 502 Sen. Cassis

Environmental protection; solid waste; importing solid waste; provide for regulation.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11513a.

I.E. House, December 10, 2003.

Returned from House with House substitute (H-2), Thursday, December 11, 2003; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_ 17 \_\_\_\_\_\_

### SB 57 Sen. Bishop

Environmental protection; solid waste; inspection of solid waste imported from Canada; require.

Amends secs. 11526 & 11549 of 1994 PA 451 (MCL 324.11526 & 324.11549) & adds secs. 11526a & 11526b.

I.E. House, February 5, 2004.

Returned from House with House substitute (H-1), Tuesday, February 10; laid over under the rules.

Committee recommended I.E.

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### **SB 497** Sen. Thomas

Environmental protection; solid waste; solid waste management law; provide definition of beverage container.

Amends sec. 11502 of 1994 PA 451 (MCL 324.11502).

I.E. House, February 5, 2004.

Returned from House with amendments, Tuesday, February 10; laid over under the rules.

For House amendments, see Senate Journal No. 12, page 152.

Committee recommended I.E.

\_\_\_\_ 19 \_\_\_\_\_

### SB 498 Sen. Birkholz

Environmental protection; solid waste; prohibited products in landfills; expand to include beverage containers, whole tires, oil, lead acid batteries, low-level radioactive waste, and hazardous waste.

Amends sec. 11514 of 1994 PA 451 (MCL 324.11514) & adds sec. 11514a.

I.E. House, February 5, 2004.

Returned from House with House substitute (H-2), Tuesday, February 10; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_ 20 \_\_\_\_\_

### SB 499 Sen. Sanborn

Environmental protection; landfills; inspections of landfills; enhance.

Amends secs. 11526, 11533, 11538 & 11550 of 1994 PA 451 (MCL 324.11526 et seg.).

I.E. House, February 5, 2004.

Returned from House with amendment, Tuesday, February 10; laid over under the rules.

For House amendment, see Senate Journal No. 12, page 153.

### MESSAGES FROM THE HOUSE

<del>\_\_\_\_ 21 \_\_\_\_\_</del>

#### SB 500 Sen. Olshove

Environmental protection; solid waste; violations of solid waste law; provide for increased remedies.

Amends sec. 11546 of 1994 PA 451 (MCL 324.11546).

I.E. House, February 5, 2004.

Returned from House with House substitute (H-3), Tuesday, February 10; laid over under the rules.

\_\_\_ 22 \_\_\_\_

### SB 715 Sen. Gilbert

Environmental protection; solid waste; county and municipal enforcement; provide for.

Amends secs. 11533 & 11538 of 1994 PA 451 (MCL 324.11533 & 324.11538).

I.E. House, February 5, 2004.

Returned from House with amendment, Tuesday, February 10; laid over under the rules.

For House amendment, see Senate Journal No. 12, page 153.

Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_\_ 23 \_\_\_\_\_

### **HB** 4276 Rep. Shulman

Holidays; Holocaust remembrance week in the state of Michigan; establish.

Creates new act.

I.E. House, November 5, 2003.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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### **HB** 4463 Rep. Robertson

Vehicles; license plates; state-sponsored fund-raising registration plate for cancer awareness; create.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811o.

I.E. House, December 18, 2003.

House substitute (H-2).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

**—** 25 **—** 

### **HB** 5183 Rep. Stahl

Human services; children's services; foster care youth networks; establish.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 18e.

I.E. House, October 30, 2003.

House substitute (H-1).

Reported by Committee on Families and Human Services.

For Senate amendments, see Senate Journal No. 13, page 161.

Committee recommended I.E.

### THIRD READING OF BILLS

- 26 -----

### **HB** 5009 Rep. Hoogendyk

Counties; boards and commissions; membership on the county committee of veterans' affairs; revise.

Amends sec. 1 of 1953 PA 192 (MCL 35.621).

I.E. House, December 10, 2003.

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

<del>\_\_\_\_</del> 27 <del>\_\_\_\_\_</del>

### **HB** 5179 Rep. Newell

Elections; polling places; polling places outside of township boundaries; allow under certain circumstances.

Amends sec. 662 of 1954 PA 116 (MCL 168.662).

I.E. House, December 9, 2003.

House substitute (H-1).

Committee on Government Operations discharged, Tuesday, February 10.

— 28 ———

### **HB 4720** Rep. LaJoy

State; purchasing; cooperative purchasing program between public schools and the department of management and budget; create.

Amends sec. 261 of 1984 PA 431 (MCL 18.1261).

I.E. House, October 16, 2003.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

- 29 ----

### HB 4722 Rep. Moolenaar

Education; financing; inapplicability of certain requirements for school district purchasing if school district makes purchase through cooperative program with state; provide for

Amends secs. 623a & 1274 of 1976 PA 451 (MCL 380.623a & 380.1274).

I.E. House, October 16, 2003.

House substitute (H-1).

Reported by Committee on Education.

For Senate amendments, see Senate Journal No. 13, page 162.

Committee recommended I.E.

### **GENERAL ORDERS**

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### **HB** 4804 Rep. Shulman

State; funds; budget stabilization fund expenditures; modify.

Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et seq.).

I.E. House, June 19, 2003.

For House amendment, see House Journal No. 54 of 2003, page 924.

Reported by Committee on Appropriations.

Senate substitute (S-2).

### **GENERAL ORDERS**

<del>\_\_\_\_ 31 \_\_\_\_\_</del>

#### **SB** 158 Sen. Patterson

Civil procedure; costs and fees; statutory attorney fees in landlord-tenant eviction and land contract forfeiture actions; revise

Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 80 of 2003, page 1742.

Committee recommended I.E.

\_\_\_\_ 32 \_\_\_\_\_

### SB 479 Sen. Basham

Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.

Amends sec. 9 of 1990 PA 187 (MCL 257.1809).

Reported by Committee on Education.

Committee recommended I.E.

— 33 —

### **HJR G** Rep. Garfield

State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.

Amends sec. 5, art. XI of the state constitution.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

<del>\_\_\_\_ 34 \_\_\_\_\_</del>

### SB 296 Sen. Gilbert

Insurance; health; direct reimbursement to provider of medical transportation services; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406*l*.

Reported by Committee on Health Policy.

Senate substitute (S-3).

Committee recommended I.E.

\_\_\_\_ 35 \_\_\_\_\_

### SB 297 Sen. Gilbert

Insurance; health care corporations; direct reimbursement to provider of medical transportation services; provide for.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418a.

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

### SB 846 Sen. Cassis

Economic development; downtown development authorities; definition of other protected obligations; revise.

Amends sec. 1 of 1975 PA 197 (MCL 125.1651).

Reported by Committee on Finance.

Committee recommended I.E.

\_\_\_\_\_ 37 \_\_\_\_\_

### HB 4458 Rep. Rocca

Liquor; other; discount on liquor to licensees; increase. Amends sec. 122 of 1998 PA 58 (MCL 436.1233).

I.E. House, October 29, 2003.

House substitute (H-2).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

### GENERAL ORDERS

**—** 38 **—** 

### **HB** 4508 Rep. McConico

Education; board members; 5-year waiting period for ballot proposal regarding the retention of the appointed reform board; eliminate and place on August 2003 primary election ballot in a qualifying district.

Amends sec. 375 of 1976 PA 451 (MCL 380.375).

I.E. House, December 3, 2003.

House substitute (H-7).

Reported by Committee on Education.

Committee recommended I.E.

\_\_\_\_\_ 39 -

### SB 532 Sen. Van Woerkom

Environmental protection; litter; illegal dumping informant program; create.

Amends sec. 8901 of 1994 PA 451 (MCL 324.8901) & adds secs. 8905d & 8905e.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

### SB 533 Sen. Van Woerkom

Environmental protection; litter; civil infraction fines; direct portion of to reward fund.

Amends sec. 8831 of 1961 PA 236 (MCL 600.8831).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

### SB 853 Sen. Brown

Environmental protection; litter; volunteers under adopta-river program to report nature and amount of litter collected; provide for.

Amends sec. 35903 of 1994 PA 451 (MCL 324.35903).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

### **SB 854** Sen. Birkholz

Environmental protection; recycling; office of the statewide recycling coordinator; establish in statute.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 174.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 43 \_\_\_\_\_

### SB 855 Sen. Basham

Environmental protection; litter; volunteers under adopta-shoreline program to report nature and amount of litter collected; provide for.

Amends sec. 35803 of 1994 PA 451 (MCL 324.35803).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

### **GENERAL ORDERS**

### SB 856 Sen. Cropsey

Environmental protection; recycling; comprehensive study of state's litter problem and marketing program to reduce littering; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 8911, 8913 & 8915.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

<del>\_\_\_\_ 45 \_\_\_\_</del>

### SB 857 Sen. Bishop

Environmental protection; litter; use of data compiled by adopt-a-trail program; provide for.

Amends sec. 72105a of 1994 PA 451 (MCL 324.72105a).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

**—** 46 **—** 

### SB 858 Sen. Gilbert

Environmental protection; litter; use of data acquired by adopt-a-park program regarding litter problem in Michigan; provide for.

Amends sec. 74104 of 1994 PA 451 (MCL 324.74104).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

### SB 860 Sen. Kuipers

Environmental protection; litter; department of environmental quality to maintain toll-free hotline for reporting littering; require.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 8905f.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

### SB 861 Sen. Patterson

Environmental protection; recycling; statewide goals for recycling rates; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 17305.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

### SB 564 Sen. Bernero

State; purchasing; state contracts; require certain percentage to be awarded to businesses owned by persons with disabilities.

Amends title & sec. 3 of 1988 PA 112 (MCL 450.793).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 50 \_\_\_\_\_

#### SB 565 Sen. Bernero

State; purchasing; state contracts that cross-reference in management and budget act; require that certain percentage be awarded to businesses owned by persons with disabilities.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 297a.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

**—** 51 **—** 

### **HB 4927** Rep. Ward

Vehicles; license plates; specialty plate for the "Thin Blue Line"; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 2170 & 217p.

I.E. House, December 10, 2003.

For House amendment, see House Journal No. 92 of 2003, page 2345.

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_ 52 \_\_\_\_

### SB 754 Sen. Schauer

Human services; medical services; childhood lead screening by health professionals, facilities, and health maintenance organizations of certain children; require.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 111k.

Reported by Committee on Families and Human Services.

Senate substitute (S-3).

Committee recommended I.E.

\_\_\_\_ 53 \_\_\_\_\_

### **HB** 5154 Rep. Gaffney

Environmental protection; toxic substances or products; uses of pesticides at schools and day care centers; regulate.

Amends secs. 8303, 8306 & 8316 of 1994 PA 451 (MCL 324.8303 et seq.).

I.E. House, December 10, 2003.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-2).

Committee recommended I.E.

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### **HB 5244** Rep. Middaugh

Property tax; personal property; special tools; revise definitions.

Amends secs. 9b & 27 of 1893 PA 206 (MCL 211.9b & 211.27).

I.E. House, December 18, 2003.

House substitute (H-1).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

### **GENERAL ORDERS**

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### SB 882 Sen. Hammerstrom

Vehicles; equipment; child restraint safety seat; require to be in rear seat if vehicle has rear seat and remove nursing child exemption.

Amends sec. 710d of 1949 PA 300 (MCL 257.710d).

Reported by Committee on Transportation.

For Senate amendments, see Senate Journal No. 13, page 176.

Committee recommended I.E.

### RESOLUTIONS

— 56 —

### SR 175 Sen. Barcia

A resolution urging United States trade negotiators to support our nation's sugar industry.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 86 of 2003, page 1866.

Adoption pending.

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### SR 139 Sen. Hardiman

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Reported by Committee on Families and Human Services.

For text of resolution, see Senate Journal No. 71 of 2003, page 1597.

Adoption pending.

**–** 58 **–** 

### SR 211 Sen. Kuipers

A resolution to recognize and commend railroads and the United Transportation Union operating in the state of Michigan for improving their safety and efficiency by taking advantage of the innovative technology used for remote-controlled locomotives.

Reported by Committee on Transportation.

For text of resolution, see Senate Journal No. 11, page 114.

Adoption pending.

### **SCHEDULED MEETINGS**

**Appropriations -** Wednesday, February 18, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

#### **Subcommittees -**

**Community Health Department -** Thursdays, February 19, 2:00 p.m., Rooms 402 and 403, Capitol Building; February 26, March 4, and March 18, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7946)

**Higher Education -** Fridays, February 20, 10:00 a.m., Oakland University, Rochester; February 27, 10:00 a.m., University of Michigan-Flint, Flint; March 5, 10:00 a.m., Cornerstone University, Grand Rapids; and March 12, 9:00 a.m., Lake Superior State University, Sault Ste. Marie (373-1760)

**Judiciary and Corrections -** Tuesdays, February 17, February 24, March 2, March 9, and March 16, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3760)

State Police and Military Affairs and House State Police/Military and Veterans Affairs - Thursday, February 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

**Appropriations, Joint Senate/House -** Thursday, February 12, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Banking and Financial Institutions -** Thursday, February 12, 12:00 noon, Room 100, Farnum Building (373-2417)

**Education -** Thursday, February 12, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Local, Urban and State Affairs -** Thursday, February 12, 1:00 p.m., Room 110, Farnum Building (373-1707)

### BILLS IN CONFERENCE

		Confe	Report Agreed To		
Bill No.	Brief Title	Senate	House	Senate	House
SB 252	Environmental protection; water pollution;	McManus	Koetje	02/10/04	
	annual wastewater discharge environmental	Birkholz	Howell		
	fee; provide for.	Brater	Tobocman		
SB 560	Environmental protection; groundwater	McManus	Koetje		
	contamination; groundwater discharge permit	Birkholz	Howell		
	fees; enact.	Brater	Tobocman		